

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>1-17833</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP2005/002432</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/591,773</b>
INTERNATIONAL FILING DATE <b>08 March 2005 (08.03.2005)</b>		PRIORITY DATE CLAIMED <b>08 March 2004 (08.03.2004)</b>
TITLE OF INVENTION <b>A FLUID SEPARATION DEVICE</b>		
APPLICANT(S) FOR DO/EO/US <b>JUERGEN WAGNER et al.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input type="checkbox"/> The US has been elected (Article 31).		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul>		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul>		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul>		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/591,773</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP2005/002432</b>		ATTORNEY'S DOCKET NUMBER <b>1-17833</b>	
20. Other items or information: Return receipt card; Response to Notification of Missing Requirements with copy of 371 Formalities Letter; Second Preliminary Amendment; Revocation of Power of Attorney w/New Power of Attorney and Change of Correspondence Address and Statement Under 3.73(b) w/copy of Assignment; IDS SB08A & copies of cited foreign patent documents.					
The following fees have been submitted				<b>CALCULATIONS      PTO USE ONLY</b>	
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... <b>\$300</b>				\$ -	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$ -	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... <b>\$0</b> All other situations..... <b>\$200</b>				\$ -	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... <b>\$0</b> Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... <b>\$100</b> International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... <b>\$400</b> All other situations..... <b>\$500</b>				\$ -	
<b>TOTAL OF 21, 22 and 23 =</b>				-	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) in an electronic medium or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x <b>\$250</b>	\$ -	
Surcharge of <b>\$130.00</b> for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20 - 20 =	0	x \$ 50	\$ -	
Independent claims	2 - 3 =	0	x \$ 200	\$ -	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360	\$ -	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.				-	
<b>SUBTOTAL =</b>				\$ 130.00	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ -	
<b>TOTAL NATIONAL FEE =</b>				\$ 130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property				\$ 40.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 170.00	
07/18/2007 LLANDGRA 00000023 10591773				Amount to be refunded:	\$
01 FC:1617 130.00 OP				Amount to be charged	\$

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☒ A check in the amount of \$ 170.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-1816. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038. The PTO-2038 should only be mailed or faxed to the USPTO. However, when paying the basic national fee, the PTO-2038 may NOT be faxed to the USPTO.


**ADVISORY:** If filing by EFS-Web, do **NOT** attach the PTO-2038 form as a PDF along with your EFS-Web submission. Please be advised that this is **not** recommended and by doing so your **credit card information may be displayed via PAIR**. To protect your information, it is recommended paying fees online by using the electronic payment method.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer Number 000068459  
Marshall & Melhorn, LLC  
Four SeaGate - 8th Floor  
Toledo, Ohio 43604

Phone: 419-249-7145  
Fax: 419-249-7151

  
SIGNATURE  
DONALD A. SCHURR  
NAME  
34,247  
REGISTRATION NUMBER

"Express Mail" Label Number EV 659495104 US  
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on July 16, 2007 and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kathleen J. Moore  
(Signature of person mailing correspondence)

Kathleen J. Moore  
(Typed name of person mailing correspondence)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	]	
JUERGEN WAGNER, DIETER GRAFL,	]	Group Art Unit:
ARMIN PRASKA, and KAI-UWE LEMKE	]	
	]	
Application No. 10/591,773	]	
Filing Under 35 U.S.C. 371 in DO/EO/US	]	Examiner:
of PCT/EP2005/002432 filed 08 March	]	
2005	]	
	]	
For: A FLUID SEPARATION DEVICE	]	Attorney Docket 1-17833
	]	

---

July 16, 2007

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

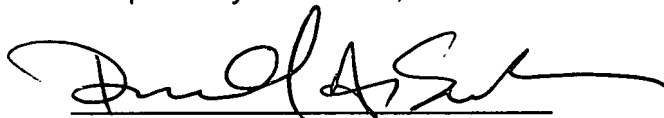
In response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)" dated May 18, 2007 (copy attached), enclosed is the executed Declaration and Power of Attorney document, as well as a "Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address" with "Statement under 37 CFR 3.73(b)" and copy of the Assignment. Please note that the umlaut (ü) in the second inventor's name, Jürgen Wagner, should be replaced with the letter "u" followed by an "e" (ue), which is the English equivalent of the German name, and should read --Juergen Wagner--.

Also enclosed is a Second Preliminary Amendment, an Information Disclosure Statement, and an Assignment document from the inventors, Juergen Wagner, Dieter Grafl, Armin Praska and Kai-Uwe Lemke to REINZ-Dichtungs-GmbH for recordation.

A check in the amount of \$170.00 is enclosed to cover the requisite fees: \$130.00 surcharge for late filing of the Declaration and \$40.00 for recordation of the Assignment.

Please charge any additional fees due or credit any overpayment to Deposit Account No. 13-1816.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Donald A. Schurr', written over a horizontal line.

Donald A. Schurr  
Registration No. 34,247

ATTORNEYS

Customer Number 000068459  
MARSHALL & MELHORN, LLC  
Four SeaGate - 8<sup>th</sup> Floor  
Toledo, Ohio 43604

Phone: (419) 249-7145  
Fax: (419) 249-7151



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/591,773	Jurgen Wagner	60680-2115

10291  
 RADER, FISHMAN & GRAUER PLLC  
 39533 WOODWARD AVENUE  
 SUITE 140  
 BLOOMFIELD HILLS, MI 48304-0610

RECEIVED

MAY 25 2007

INTERNATIONAL APPLICATION NO.

PCT/EP05/02432

I.A. FILING DATE PRIORITY DATE

03/08/2005

03/08/2004

CONFIRMATION NO. 4274

371 FORMALITIES LETTER



\*OC000000023928685\*

Date Mailed: 05/18/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/06/2006
- Copy of the International Search Report filed on 09/06/2006
- Preliminary Amendments filed on 09/06/2006
- U.S. Basic National Fees filed on 09/06/2006
- Priority Documents filed on 09/06/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, RECEIVED

JUN 04 2007

**WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/591,773	PCT/EP05/02432	60680-2115

FORM PCT/DO/EO/905 (371 Formalities Notice)

CERTIFICATE UNDER 37 CFR 1.10 OF MAILING BY "EXPRESS MAIL"

"Express Mail" Label Number EV 659495104 US

Date of Deposit July 16, 2007

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



\_\_\_\_\_  
Signature of person mailing correspondence

Kathleen J. Moore

\_\_\_\_\_  
Typed name of person mailing correspondence

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 USC 371 IN THE DO/EO/US

Application No. 10/591,773

International Appln. No. PCT/EP2005/002432 filed 08 March 2005

Title: A FLUID SEPARATION DEVICE

Inventors: Juergen Wagner et al.

Assignee: REINZ-Dichtungs-GmbH

Attorneys: Marshall & Melhorn, LLC

Attorney Docket No: 1-17833

Papers Enclosed

Transmittal Cover Letter PTO-1390 (3 pages) w/copy of same (3 pages)

Response to Notification of Missing Requirements (2 pages)

Executed Declaration (5 pages)

Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address and Statement Under 3.73(b) w/copy of Assignment (9 pages)

Information Disclosure Statement w/Intl Search Report and copies of cited foreign documents

Assignment document and Recordation Cover Sheet PTO-1595